



**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,  
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

## **ACTION AGENDA**

Hickory City Council  
76 North Center Street

August 2, 2016  
7:00 p.m.

- I. Call to Order
- II. Invocation by Alderman Seaver
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A A. Regular Meeting of July 19, 2016. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
- A2 A. Acceptance of an Offer to Purchase Property, PIN 3724-18-31-3226, in the Amount of \$6,000, Located East of 25<sup>th</sup> Street NE, Hickory. **(First Reading Vote: Unanimous)**
- A2 B. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Greater Hickory Cooperative Christian Ministry. **(First Reading Vote: Unanimous)**
- A2 C. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Habitat for Humanity of the Catawba Valley, Inc. **(First Reading Vote: Unanimous)**
- A2 D. Approval of the Application Development Contract in the Amount of \$87,996 with Western Piedmont Council of Governments to Provide Continued Services and Support for Fiscal Year 2016/2017. **(First Reading Vote: Unanimous)**
- A2 E. Approval of the Technical Assistance Services Contract in the Amount of \$74,340 with Western Piedmont Council of Governments to Provide Continued Services and Support for Fiscal Year 2016/2017. **(First Reading Vote: Unanimous)**
- A2 F. Approval of the Renewal of the Agreement with Western Piedmont Council of Governments to Support the Western Piedmont Stormwater Partnership for Phase II Public Education. **(First Reading Vote: Unanimous)**
- A2 G. Approval to Retire Police Canine Gino and an Agreement to Allow Police Canine Gino to be adopted by Handler MPO Marcus Chapman. **(First Reading Vote: Unanimous)**
- A2 H. Budget Revision Number 1. **(First Reading Vote: Unanimous)**

August 2, 2016

- A2** I. Approval of a Memorandum of Understanding with Habitat for Humanity of the Catawba Valley, Inc. for the Housing Rehabilitation Programs. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
- PH** A. Call for a Public Hearing – Voluntary Contiguous Annexation of Property owned by Michael and Louise Maguth, 1730 30<sup>th</sup> Avenue Court NE. **(Authorize Public Hearing for August 16, 2016, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.A.)**
- A1** B. Acceptance of a Temporary Construction Easement for the Property of Jacomine Investments, LLC, PIN 3703-19-50-1115 for Installation of Utilities Infrastructure. **(Exhibit VIII.B.)**
- Staff requests acceptance of a temporary construction easement located on either side of the existing infrastructure easements for the property of Jacomine Investments, LLC described as PIN 3703-19-50-1115 for installation of utilities infrastructure. The temporary easement is necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. This easement is necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. The easement was negotiated for a total sum of recording fees in exchange for the easement. Staff recommends acceptance of a temporary construction easement for the property of Jacomine Investments, LLC described as PIN 3703-19-50-1115 for installation of utilities infrastructure.*
- A1** C. Acceptance of a Temporary Construction Easement and Permanent Storm Drainage Easement for the Property of Jacomine Investments, LLC, PIN 3702-07-59-1955 for Installation of Utilities Infrastructure. **(Exhibit VIII.C.)**
- Staff requests acceptance of a temporary construction easement and a permanent storm drainage easement located on either side of the existing infrastructure easements for the property of Jacomine Investments, LLC described as PIN 3702-07-59-1955 for installation of utilities infrastructure. The temporary and permanent easements are necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. These easements are necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. These easements were negotiated for a total sum of recording fees in exchange for the easements. Staff recommends acceptance of a temporary construction easement and a permanent storm drainage easement for the property of Jacomine Investments, LLC described as PIN 3702-07-59-1955 for installation of utilities infrastructure.*
- A1** D. Acceptance of a 7.5 foot Temporary Construction Easement for the Property of Arthur Plaster and wife, Nancy Plaster Described as PIN 3703-19-50-1165 for Installation of Utilities. **(Exhibit VIII.D.)**
- Staff requests acceptance of a 7.5 foot temporary construction easement for the property of Arthur Plaster and wife, Nancy Plaster described as PIN 3703-19-50-1165 for installation of utilities infrastructure. This temporary easement is necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State*

*Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. This easement is necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. The easement was negotiated for a total sum of recording fees in exchange for the easement. Staff recommends acceptance of a 7.5 foot temporary construction easement for the property of Arthur Plaster, and wife Nancy Plaster described as PIN 3703-19-50-1165 for installation of utilities infrastructure.*

- A1**      **E.**      Acceptance of a 25 foot Temporary Construction Easement and a 25 foot Permanent Sanitary Sewer Line Easement for the Property of Sharon Ann Hahn Described as PIN 3724-18-31-6461 for Installation of a Sanitary Sewer Line. **(Exhibit VIII.E.)**

*Staff requests acceptance of a 25 foot temporary construction easement and a 25 foot permanent sanitary sewer line easement for the property of Sharon Ann Hahn described as PIN 3724-18-31-6461 for installation of a sanitary sewer line. This temporary and permanent easements are necessary for completion of the Random Woods Subdivision sanitary sewer project. This project was awarded to the City as a State Revolving Grant by NCDENR-DWQ in 2012 in the amount of \$2.946 million dollars. These easements are necessary for the construction of the infrastructure required to serve this area with sanitary sewer and will not increase the cost of this construction project. These easements were negotiated for one 4-inch sewer service connection in exchange for the easements. Staff recommends acceptance of a 25 foot temporary construction easement and a 25 foot permanent sanitary sewer line easement for the property of Sharon Ann Hahn described as PIN 3724-18-31-6461 for installation of a sanitary sewer line.*

- A**      **F.**      Renewal of Taxicab and Other Passenger Vehicles for Hire Franchises. **(Exhibit VIII.F.)**

<b>Company</b>	<b>Taxicabs</b>	<b>Passenger Vehicle for Hire</b>
Platinum Limousine LLC	<b>0</b>	<b>3</b>
<b>Total</b>	<b>0</b>	<b>3</b>

*Annually, companies apply for a renewal of their Certificate of Convenience and Necessity for the operation of taxicabs and other vehicles for hire.*

- A**      **G.**      Special Event Activities Application Car Show for Special Olympics North Carolina, Lieutenant Cam Anderson, Hickory Police Department/Cosmo Motors – benefit Special Olympics North Carolina, September 10, 2016, 2:00 p.m. to 10:00 p.m., L.P. Frans Stadium, 2500 Clement Boulevard NW, Hickory. **(Exhibit VIII.G.)**

- A**      **H.**      Special Event Activities Application NBC Olympic Pep Rally, Hannah Welker, Reporter, WCNC/NBC Charlotte, August 12, 2016, 4:15 p.m. to 6:30 p.m., Sails on the Square. **(Exhibit VIII.H.)**

- A1**      **I.**      Approval to Purchase Two 2017 F150 Extended Cab Trucks for the Fire Department's Fire and Life Safety Division from Asheville Ford in the Amount of \$22,191.45 each. **(Exhibit VIII.I.)**

*The Fire Department will be replacing two passenger vehicles from its fleet with two 2017 Ford F150 extended cab trucks in the amount of \$22,191.45 each. These trucks were bid out under the existing North Carolina Sheriffs' Association bid award #16-02-0929, in which Asheville Ford was awarded the contract. The new trucks will be utilized daily by the Fire and Life Safety Division of the Fire Department for transporting personnel in their duties of fire inspections of local businesses, fire investigations, and fire education programs. Staff recommends authorization to purchase the two trucks through Asheville Ford within the guidelines of the bid award and the City of Hickory's procurement laws. Funds are budgeted in fiscal year 2016/2017 Capital Outlay to purchase these vehicles.*

- A1**      **J.**      Approval of a Lease Agreement for Property Located at 304 3<sup>rd</sup> Street SW, Hickory to Jamie Janine Reed and Christopher Martin Stevey. **(Exhibit VIII.J.)**

*Hickory Police Department purchased and renovated the property at 304 3<sup>rd</sup> Street SW Hickory. The property is adjacent to the current 6.18 acres of City owned property and would provide necessary land for any future expansion of the Police Department. The property has three bedrooms, two baths, stove, refrigerator, and microwave. Hickory Police Department requests leasing the property to Jamie Janine Reed and Christopher Martin Stevey in the amount of \$600 per month, beginning November 1, 2016. The tenant will be responsible for all utilities.*

**A1 K. Budget Revision Number 2. (Exhibit VIII.K.)**

1. *To appropriate \$13,500 of Fire Department Miscellaneous Revenue monies to the Fire Department's M&R-Vehicle Line item. These funds were issued for the sale of (1) 1919 and (2) 1924 American LaFrance fire trucks. The surplusing of these trucks was approved by Council on 06/21/2016; and the sale was finalized by check# 6753902153 from buyer George Mills on 07/07/2016. These funds were deposited in the Fire Department Miscellaneous Revenues fund on 07/08/2016. At request of Council members these funds are to be placed in the Fire Department's M&R-Vehicles line item to offset the cost of maintenance of our 1936 American LaFrance apparatus, which will be utilized at special events and parades.*
2. *To appropriate \$7,510 of General Fund Balance and budget same into the Boards and Commission's economic and community development expenditure line item for the Hickory International Council's International Springfest. This is to recognize and appropriate unspent donations during FY 2015-16.*
3. *To appropriate assigned fund balance into Public Service's Streets division for planned maintenance to the Horseford Creek Bridge on 21st Ave NW. Funds had been appropriated during 2015-16 and the project was bid, but construction did not begin before June 30, 2016. Since the project did not commence before the end of FY15-16, the funds rolled back into Fund Balance. As the bid process resulted in a low bid of \$163,440 by Astron General Contracting, the current amendment will re-appropriate the necessary monies according to the approved bid.*
4. *To appropriate NC State Unauthorized Substance Tax funds for the Hickory Police Department to equip officers with active shooter safety packages. The funds will purchase a total of 116 packages at \$274.00 each, for a total of \$31,784.*

IX. Items Removed from Consent Agenda – None

X. Informational Item

**NA A. Budget Transfer Report - August 2, 2016**

Under Section 22 (b) of the Fiscal Year 2016-2017 Budget Ordinance, the City Manager is authorized to transfer appropriations with a report to City Council as follows:

*Section 22 (b): "He may transfer amounts up to \$50,000 between functional areas including contingency appropriations, within the same fund. He must make an official report on such transfers at the next regular meeting of the Governing Board."*

The following transfers under this provision occurred during July 2016:

1. To expedite the availability of insurance-claims revenue to the appropriate department, in lieu of a Budget Amendment the City has budgeted specific funds within the Risk Management division which, upon the case-by-case receipt of

said revenues, may be transferred as necessary for making repairs and/or replacements in a timely manner.

- a. July 20, 2016 (BT #2): \$5,193.00 transferred to Fire Department for damages sustained to Ladder Truck #2 when a county EMS unit struck its front bumper on 5-31-16.
- b. July 25, 2016 (BT #3): \$3,183.00 transferred to Police Department for damages sustained to computer network equipment due to a lightning strike on 5-12-16.

XI. New Business:

A. Public Hearings

**A1** 1. Consideration of Designating Lyerly Full Fashioned Mill as a Local Historic Landmark. **(Exhibit XI.A.1.)**

*OHM Holdings recently completed a major rehabilitation of the former Lyerly Full Fashioned Mill building and has petitioned the City of Hickory to designate the parcel as a local historic landmark. The Lyerly Mill was constructed circa the early 1930's. In 2007, the building was listed on the National Register of Historic Places. Using historic tax credits, the property was rehabilitated to become the flagship building for the new Transportation Insight corporate campus. As part of the historic tax credit requirements, the building retained significant architectural features. If designated by Council, any changes to the site or exterior of the building would require a Certificate of Appropriateness (issued by the Historic Preservation Commission). Additionally, the property would be eligible for a 50 percent property tax deferment as long as it retains its historic integrity. This property was most recently assessed at \$2,840,100 by the Catawba County Tax Office. The Historic Preservation Commission conducted a public hearing on the petition on June 28, 2016. The Commission voted unanimously to recommend approval. Staff recommends Council approve the local landmark designation ordinance for the Lyerly Mill property.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 22, 2016.*

B. Departmental Reports:

**A** 1. Appointments to Boards and Commissions

**BOND IMPLEMENTATION COMMISSION**

(Terms Expiring 2-1; 3 Year Terms) (Appointed by City Council)

Mayor's Appointment Unexpired Term of Charlie Dixon (2-1-19)

**BUSINESS DEVELOPMENT COMMITTEE**

(Terms Expiring 6-30; 2 Year Terms) (Appointed by City Council)

At-Large (Council Appoints) VACANT

**CITIZENS ADVISORY COMMITTEE**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

At-Large (Council Appoints) VACANT

**COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 3 (Seaver Appoints) VACANT

Ward 4 (Guess Appoints) VACANT

At-Large (Outside City but within Hickory Regional Planning Area)

(Council Appoints) VACANT

At Large (Council Appoints) VACANT

**COMMUNITY RELATIONS COUNCIL**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Caucasian (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT

**HICKORY REGIONAL PLANNING COMMISSION**

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)  
(Appointed by City Council)  
Ward 2 (Tarlton Appoints) VACANT  
Burke County (Mayor to Nominate) VACANT  
Brookford (Mayor to Nominate) VACANT

Mayor Wright nominated Doug Minton as the Brookford Representative on the Hickory Regional Planning Commission.

**HISTORIC PRESERVATION COMMISSION**

(Terms Expiring 6-30; 3-Year Terms (Appointed by City Council)  
Historic Properties (Council Appoints) VACANT  
Building Trades Profession (Council Appoints) VACANT  
At-Large (1) (Council Appoints) VACANT

**INTERNATIONAL COUNCIL**

(Appointed by Mayor with the Concurrence of City Council)  
(6) Positions VACANT

**LIBRARY ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 4 (Guess Appoints) VACANT  
At-Large (Mayor Appoints) VACANT

**PARKS AND RECREATION COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 2 (Tarlton Appoints) Susan Sigler  
(Eligible for Reappointment/Willing to Serve)  
At-Large (2) (Council Appoints) VACANT  
At-Large (3) (Council Appoints) VACANT

Alderman Tarlton nominated Susan Sigler as the Ward 2 Representative for the Parks and Recreation Commission.

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Mayor Appoints) VACANT  
At-Large (Mayor Appoints) Harold Humphrey  
(Eligible for Reappointment/Willing to Serve)

Mayor Wright nominated Harold Humphrey as an At-Large Representative for the Public Art Commission.

**PUBLIC HOUSING AUTHORITY**

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)  
  
Position 9 VACANT

**RECYCLING ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 2 (Tarlton Appoints) VACANT

Ward 3 (Seaver Appoints)	VACANT
Ward 4 (Guess Appoints)	VACANT
At-Large (Council Appoints)	VACANT
At-Large (Council Appoints)	VACANT

C. Presentation of Petitions and Requests

- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(4) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

Mayor Wright requested the addition of discussion of a potential litigation to closed session (NC General Statutes 143-318.11(a)(3)).

- 1. Approval of Closed Session Minutes of June 21, 2016, and June 28, 2016 - NCGS §143-318.11(a)(1)
- 2. Discussion of Economic Development – NCGS §143-318.11(a)(4)
- A1 Upon return to open session City Council approved on first reading an agreement with the Department of Transportation, and the appropriation of funds in General Fund Balance for the first installment of the agreement.
- XV. Adjournment

**\*Hickory City Code Section 2-56. Public Address to Council:**

**“When conducting public hearings, considering ordinances and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”**

**The City of Hickory holds all public meetings in accessible rooms. Special requests for accommodation should be submitted by individuals with disabilities at least 48 hours before the scheduled meeting. Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**